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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,535	04/24/2001	David G. Lee	CROSS1450	9732

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GRAY, CARY, WARE & FREIDENRICH LLP  
1221 SOUTH MOPAC EXPRESSWAY  
SUITE 400  
AUSTIN, TX 78746-6875

EXAMINER

HYUN, SOON D

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 08/12/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/681,535

Applicant(s)

LEE, DAVID G.

Examiner

Soon-Dong Hyun

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 9,27 and 29-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9 and 36-46 is/are allowed.
- 6) ☒ Claim(s) 27,29-31 and 47-49 is/are rejected.
- 7) ☒ Claim(s) 32-35 and 50-61 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in the last Office Action.

### ***Claim Rejections - 35 USC § 102***

Regarding claims 27, 31, 47, and 49, Nishihara et al discloses a method:

identifying a data payload (user data) of data formatted according to a first protocol (IP protocol);

converting the data payload to a second protocol (Ethernet protocol);

identifying a data payload of the data formatted according to the second protocol when a header of an Ethernet packet is generated;

verifying the integrity of the data payload of the data formatted according to the second protocol by CRC when the Ethernet packet is decapsulated by interface 20 to get IP datagram;

wherein converting the data payload to the second protocol comprises encapsulating the data payload formatted according to the first protocol in a format according to the second protocol.

converting the data payload to a third protocol (CLNIP protocol);

identifying a data payload of the data formatted according to the third protocol when a header of a CLINP packet is generated; and

verifying the integrity of the data payload of the data formatted according to the third protocol by CPCS trailer when the CLINP packet is encapsulated to get an AAL frame.

See FIG. 2 and col. 3, line 14-col. 3, line 65.

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Regarding claims 29, 31, and 48, Nishihara et al discloses a method:

identifying a data payload of data formatted according to a first protocol (CLINP protocol);

converting the data payload to a second protocol (ATM protocol);

identifying a data payload of the data formatted according to the second protocol when a header of an AAL frame is generated.;

verifying the integrity of the data payload of the data formatted according to the second protocol by CPCS trailer when the CLINP packet is converted to an AAL frame.

converting the data payload to a third protocol (CLNIP protocol);

wherein converting the data payload to the second protocol comprises translating the data payload (making a plurality of ATM cells) from the first protocol to the second protocol.

See FIG. 2 and col. 3, line 14-col. 3, line 65.

### ***Allowable Subject Matter***

2. Claims 9 and 36-46 are allowed.
3. Claims 32-35 and 50-61 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

4. Applicant's arguments filed 05/27/2004 have been fully considered but they are not persuasive.

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Regarding claims 27, 29-31, and 47-49, Applicant argues that "there is no mention in these passages, or the reminder of the language cited by the Examiner, of any verification of data integrity" with reference to col. 3, lines 30-39, col. 3, lines 60-65 and FIG. 2 and 3, and therefore, "Nishihara fails to teach or suggest verifying the integrity of any data payload." Examiner does not agree. As discussed above for the claim rejection, the claimed subject matter "verifying the integrity of the data payload" is interpreted as checking errors in the payload by CRC or CPCS trailer. Therefore, Examiner believes that the rejection is proper.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Soon-Dong Hyun whose telephone number is (703) 305-4550. The examiner can normally be reached on Monday-Friday from 8:30 A.M. to 5:30 P.M..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen, can be reached on (703) 308-5340.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

7. Any response to this final action should be mailed to:  
Box AF

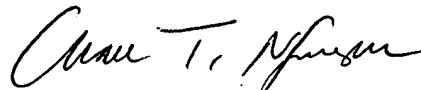
Commissioner for Patents  
P.O. Box 1450  
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Or faxed to: 703-872-9314 for formal communications intended for entry with a label of "EXPEDITED PROCEDURE" for informal or draft communications with a label of "PROPOSED" or "DRAFT" (attn: Art Unit 2663, Soon-Dong Hyun).

*g*

S. Hyun

08/06/2003



CHAU NGUYEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600